

## **MINUTES**

**REGULAR MONTHLY MEETING  
BOARD OF COSMETOLOGY AND HAIRSTYLING  
124 HALSEY STREET - 6TH FLOOR  
NEWARK, NEW JERSEY 07102  
JULY 14, 2015**

### **PUBLIC SESSION**

#### **I CALL TO ORDER**

The regular monthly meeting of the Board of Cosmetology and Hairstyling was called to order at 9:30 a.m.

##### **Roll Call:**

Ms. Janice Alvarez, Mr. John Ford, Mr. Peter Macri,, Mr. Jerry Speziale, Ms. Frances Tomeo, Mr. Jay A. Malanga, Executive Director and Ms. Barbara Ambroise, Program Development Assistant were present. Ms. Angela Panteleone and Mr. Joseph Santagata were absent.

##### **Also in Attendance:**

Ms. Gracinda Almeida, Administrative Assistant, Ms. Marisol Rodrigues, Office Supervisor, Ms. Yolanda Morales, Principle Transcriber, Ms. Carol Ann Rotondo, Paralegal, Ms. Susan Rischawy, Government Representative and the Board's counsel.

#### **II OPEN PUBLIC MEETINGS ACT**

The Chair announced that the time, date and location of the meeting was listed in the Annual Notice Schedule. The Annual Notice Schedule was mailed to Ms. Kim Guadagno, Secretary of State, and the Asbury Park Press, Bergen Record, Newark Star-Ledger and Trentonian Newspapers on December 17, 2014, and was posted in the Office of the Board of Cosmetology and Hairstyling on December 17, 2014 was posted in the Office of the Board of Cosmetology and Hairstyling on December 17, 2014.

#### **III APPROVAL OF MINUTES (OPEN & CLOSED)**

Upon motion made by Mr. Peter Macri and seconded by Mr. Jerry Speziale, the Executive Director's report, Committee reports, and Minutes of the regular monthly meeting held June 9, 2015 are accepted as read. The motion passed unanimously.

#### **IV PUBLIC PARTICIPATION SESSION**

Mr. James Fedorko, Health Officer, City of Englewood Department of Health greeted the Board and stated that his intention of attending the Board meeting was to understand the Board's authority to license nail salons and individuals working in the salon. He informed the Board that many salons are operating without a license and the town is considering promulgating ordinances to address the matter.

The Board requested that Mr. Fedorko contact DCA's office to further discuss the matter.

#### **V EXECUTIVE DIRECTOR'S ANNOUNCEMENTS**

Mr. Jay Malanga introduced Dr. John T. Ford as a new Board Member.

After he was sworn in, Dr. Ford gave a brief summary of his background and stated he was looking forward to serving on this Board.

Mr. Jay Malanga asked whether the Board wanted to cancel the August meeting as done in the past due to vacations.

Upon motion made by Mr. Peter Macri and seconded Ms. Frances Tomeo, the regular monthly meeting scheduled for August 11, 2015 is canceled. The motion passed unanimously.

#### **VI FOR BOARD CONSIDERATION**

1. A request received from Mr. Howard Z. Myerowitz, Esquire on behalf of his client, Ms. Young Ai Lee, t/a Studio Nails, 186 Mountain Avenue, Hackettstown, New Jersey in connection with the offer of settlement he has made on her behalf for the alleged violations resulting out of an inspection of her shop on June 4, 2014 and the penalties assessed in the amount of \$4,150.00 was presented to the Board for consideration.

After careful consideration, upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board accepts the settlement offer. The motion passed unanimously.

2. Correspondence received from Ms. Colleen Vendenbergh, 107 Peter Rafferty Drive, Hamilton, New Jersey in connection with the penalties assessed her in the amount of \$100.00 for the alleged violation of N.J.S.A. 45:5B-12(f) & N.J.A.C. 13:28-2.12(a)2 at Hair It Is, 1053 Washington Boulevard, Robbinsville, New Jersey on October 7, 2014 was presented to the Board for consideration. She indicated that she would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

After careful consideration, upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board dismissed the violation due to mitigating circumstances. The motion passed unanimously.

3. Correspondence received from Ms. Revital Shabtai, President, t/a Salon Revital, 248 Highway 79 #2, Wickatunk, New Jersey in connection with the penalties assessed her in the amount of \$450.00 for the alleged violations resulting out of an inspection of her shop on April 30, 2014 was presented to the Board for consideration. Ms. Shabtai has admitted to the charges of N.J.A.C. 13:28-2.5(a)2,iv,v and has paid the penalty (\$200.00) for that violation; but waived her right to a hearing on the other charge N.J.S.A. 45:5B-13(g) & N.J.A.C. 13:28-2.13(a) but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board affirms its original decision as set forth in the Uniform Penalty Letter. The motion passed unanimously.

4. Correspondence received from Ms. Victoria Landolfi, t/a Hair It Is, 1053 Washington Boulevard, Robbinsville, New Jersey in connection with the penalties assessed her in the amount of \$200.00 for the alleged violation resulting out of an inspection of her shop on October 7, 2014 was presented to the Board for consideration. She indicated that she would like to waive her right to a hearing but furnished a written explanation for the Board to consider before rendering its final decision.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board dismisses the penalty assessed for Colleen Vandenberg due to mitigating circumstances, but the penalty against Ms. Donna Fera stands. The motion passed unanimously.

5. Correspondence received from Mr. Maury K. Cutler, Esquire on behalf of his client, Brigitte Nzali, t/a African & American Braidings, 1034 Little Gloucester Road, Blackwood, New Jersey in connection with the offer of settlement he has made on her behalf for the alleged violations resulting out of an inspection of her shop on September 11, 2009 and the penalties assessed in the amount of \$1,400.00 was presented to the Board for consideration.

Upon motion made by Mr. Peter Macri and seconded by Ms. Frances Tomeo, the Board went into Executive Session for advice of counsel to discuss the settlement. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board accepts the settlement offer. The motion passed unanimously.

### **REINSTATEMENT OF LICENSES IMO:**

6. Mary Frances Durbin
7. Rebecca M. (Spurlock) Rettberg
8. Jessica L. (Berni) Murphy
9. Rebecca A. Carl
10. Jackelyn D. (Benner) Tedeschi

After careful review, upon motion made by Mr. Jerry Speziale and seconded by Mr. Peter Macri, the above listed individuals are required to prove proficiency by taking and passing the written examination and pay the licensing fees pursuant to N.J.S.A. 45:1-7.4(e). Further, the Board reserves the right to take disciplinary action on any individual working without a valid license and as for Ms. Tedeschi, she is to be advised that she must first successfully reactive her New Jersey License before the Board can issue a certification of good standing of her licensure to the Florida State Board. The motion passed unanimously.

### **OUT OF COUNTRY APPLICATIONS FOR BOARD REVIEW**

11. IMO Samir T. Tawadros

Upon motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, a preliminary letter of denial of application is to be issued based on unsubstantiated documentation. The motion passed unanimously.

12. IMO Lap Hung Chu

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, a preliminary letter of denial of application is to be issued based on unsubstantiated documentation. The motion passed unanimously.

13. Candelaria N. Pacheco

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, a preliminary letter of denial of application is to be issued based on unsubstantiated documentation. The motion passed unanimously.

14. Rosa M. Buele

Upon motion made by Mr. John Ford and seconded by Mr. Jerry Speziale, more documents and information need to be submitted. The motion passed unanimously.

15. **Disciplinary Matters Pending Conclusion by Default Orders:**

The UPLs were issued and no written responses from Respondents have been received by the Board to date. These matters were subject to finalization fifteen (15) business days after issuance of Notice of Intent to File Default Order. The Certificate of Service is attached for Board review.

The Attorney General seeks to issue Final Decision and Default Order on UPL for each of the following IMO:

1. Nagy Bernaba and Nanar Nahas, t/a Hollywood Beauty Salon Cut - License No.: 32WD02059400
2. Aminata Kamara, Individual – License No.: NONE
3. Victoria Tepoz, Individual – License No.: NONE

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, the Board directed that a Final Decision and Default Order on UPL be issued on these matters. The motion passed unanimously.

**Agenda Supplement**

1. A request submitted by Ms. Lynne Cianicullo, Cutting Edge Academy, 45 Sunset Strip Succasunna, New Jersey for approval for curriculum for Spanish classes to be offered from 9 AM to 3 PM and 6 PM to 10 PM at Cutting Edge Academy was presented to the Board for consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Jerry Speziale, Ms. Cianicullo's request is approved. The motion passed unanimously.

2. Mr. Sean J. Sickles submitted a Barber curriculum to be offered at The Salon Professional Academy, 4985 Stelton Road, South Plainfield, New Jersey for Board consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, Salon Professional is approved to offer the Barber curriculum. The motion passed unanimously.

3. A request submitted by Mr. John Palomares, Levels Beauty Institute, 310 New Brunswick Avenue, Fords, New Jersey for approval of his school to offer Friday nights for evening hours to his students was presented to the Board at the regular monthly meeting held July 14, 2015.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. John Ford, Levels Beauty Institute is authorized to offer Friday nights for evening hours to their students. The motion passed unanimously.

4. IMO David Bordieri out of state application for licensure by endorsement was presented to the Board for consideration.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board went into closed session for advice of counsel. The motion passed unanimously.

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the Board returned to Open Session to announce it's decision.

Upon motion made by Mr. Jerry Speziale and seconded by Ms. Frances Tomeo, the Board determined that Mr. David Bordieri is permitted to take and pass the Board's a written and practical examination and if he does not pass the first time, he has to enrol in a Board approved school. The motion passed unanimously.

## **VII OLD BUSINESS**

## **VIII NEW BUSINESS**

### **Committee Reports**

#### Examination & Sites:

Ms. Janice Alvarez reported that all Committee work is up to date. She stated that she was going to be conducting a meeting for all examiners at the end of each exam.

#### Education & Public Relations:

No report

#### Violations:

No report

#### Legislation:

No report

#### School & Department of Education Liaison:

Ms. Janice Alvarez reported that all Committee work is up to date.

#### Regulatory Committee:

Mr. Jerry Speziale reported that all Committee Work is up to date.

#### Special Committee Assignments:

No report

**IX EXECUTIVE SESSION**

The Board adjourned the Public Session and moved to the Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.

**X ADJOURNMENT**

Upon motion made by Ms. Frances Tomeo and seconded by Mr. Peter Macri, the meeting was adjourned at 2:30 P.M.. The motion passed unanimously.

---

JANICE ALVAREZ, Board Chairperson

Countersigned:

---

JAY A. MALANGA, Executive Director